BEFORE THE STATE OF INDIANA CIVIL RIGHTS COMMISSION

PUBLIC MEETING OF SEPTEMBER 24, 2010



PROCEEDINGS

in the above-captioned matter, before the Indiana Civil Rights Commission, Alpha Blackburn,
Chairperson, taken before me, Lindy L. Meyer,
Jr., a Notary Public in and for the State of
Indiana, County of Shelby, at the Indiana
Government Center South, Conference Center,
Room A, 402 West Washington Street, Indianapolis,
Indiana, on Friday, September 24, 2010 at
11:27 o'clock a.m.

~ 1

William F. Daniels, RPR/CP CM d/b/a
ACCURATE REPORTING OF INDIANA
12922 Brighton Avenue
Carmel, Indiana 46032
(317) 848-0088

1	APPEARANCES:
2	COMMISSION MEMBERS:
3	Alpha Blackburn, Chairperson David C. Carter
4	John E. Garcia
5	Barry Baynard
6	COMMISSION STAFF PRESENT:
7	Robert D. Lange
8	Joan T. Essex Tawanda Sharp
9	Christina Catalan
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1 11:27 o'clock a.m. September 24, 2010 2 3 CHAIRPERSON BLACKBURN: Good morning. The Indiana Civil Rights Commission is now in 4 5 public meeting. You have in front of you an agenda for today's meeting, and having a quorum, 6 7 we'll vote to adopt the minutes of the last 8 meeting. May I have a motion to accept? 9 COMM. CARTER: So moved. COMM. BAYNARD: Second. 10 11 CHAIRPERSON BLACKBURN: Anyone 12 opposed? 13 (No response.) 14 CHAIRPERSON BLACKBURN: Thank you. 15 And move next to the Financial Report. 16 Thank you for being here, Ms. Essex. 17 MS. ESSEX: Thank you. Good morning. 18 You should have the August Financial Report in 19 your packet. Let me just state that we have submitted our budget for 2012-2013 that was due 20 We did that this morning, and our budget 21 for the coming biennium, our base was reduced by 22 23 the 15 percent that we are taking off of the

appropriation we received this year.

What that means is our 2012 and 2013
budgets are based on an appropriation of 1.858
million, and that is what we will have to work
with over that period, and that is what our net
is for this year. We've received more than that,
but we will be reverted about three hundred and
some-odd thousand dollars back to the General
Fund, so that is our net for this year.

So, it's not anything that should cause us any undue consideration. We have been trying to cut wherever possible, and should there be additional cuts, there may be slight cause for concern, but we'll cross that bridge when we get to it, and hopefully things will get better instead of worse.

So, if you have any questions, I would be happy to take those at this time.

CHAIRPERSON BLACKBURN: Are you feeling the pinch, budget-wise, in your operations?

MS. ESSEX: We are.

CHAIRPERSON BLACKBURN: I think it's

okay to say you can function at this level, 1 2 but --3 MS. ESSEX: We can, and we're fortunate that we have the cooperative agreements 4 5 with the U.S. Department of Housing and Urban develop and the U.S. Department of Equal 6 7 Opportunity -- Equal Employment Opportunity. 8 Those dollars that we receive from those 9 cooperative agreements are used to reimburse for direct expenses that are directly related to the 10 processing and investigation of those cases. 11 12 Without those dollars coming in, we would feel much more of a hit, so we are -- we're 13 fortunate to have those contracts, and as long as 14 we can keep our numbers up and meet the contract 15 expectations, we should be in good shape. 16 CHAIRPERSON BLACKBURN: 17 Okay. Sounds 18 good. 19 Old business. Is there any? 20 COMM. CARTER: Is there ever? CHAIRPERSON BLACKBURN: Did I 21 understand you to say there is? 22 23 COMM. CARTER: I said, "Is there

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ever?"
 1
 2
                         (Laughter.)
                 CHAIRPERSON BLACKBURN: Okay.
 3
                                                 That's
 4
     a no, I take it. And no new business that I know
 5
     of.
 6
            We have a Consent Agreement. May I have a
    motion to accept that?
 7
                 COMM. CARTER: So moved.
 8
                 COMM. BAYNARD: Second.
 9
                 CHAIRPERSON BLACKBURN: And all in
10
11
     favor?
12
                 COMM. CARTER: Aye.
                 COMM. BAYNARD: Aye.
13
                 COMM. GARCIA:
14
                                Aye.
                 CHAIRPERSON BLACKBURN:
15
            Anyone opposed?
16
                       (No response.)
17
18
                 CHAIRPERSON BLACKBURN: Thank you.
    And we have Findings of Fact, Conclusions of Law
19
    and Order that are listed on your agenda. May I
20
    have a motion to accept those?
21
                 COMM. BAYNARD: I'll make a motion to
22
    accept the Findings of Facts, Conclusions --
23
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COMM. CARTER: Second. 1 COMM. BAYNARD: -- of Law. 2 CHAIRPERSON BLACKBURN: All in favor? 3 4 COMM. CARTER: Aye. 5 COMM. BAYNARD: Aye. 6 COMM. GARCIA: Aye. 7 CHAIRPERSON BLACKBURN: Anyone opposed? 8 (No response.) 9 10 CHAIRPERSON BLACKBURN: Thank you. 11 Reports by Commissioners on Complaint 12 Appeals. We'll start with you, Comm. Carter. COMM. CARTER: Okay. Madam Chair, in 13 the case of Jackson versus Lafayette Housing 14 Authority and Mitchell -- I forgot what o/b/o 15 16 was. MR. LANGE: On behalf of. 17 COMM. CARTER: On behalf of, thank 18 19 you -- Collignon, or Collignon, however it is 20 pronounced in French, versus Kid Company Preschool and Childcare, I recommend that we 21 sustain the no reasonable cause finding in the 22 first one and no probable cause finding in the 23

second one. 1 2 CHAIRPERSON BLACKBURN: May I have a 3 motion to accept both recommendations? 4 COMM. BAYNARD: So moved. 5 COMM. GARCIA: Second. 6 CHAIRPERSON BLACKBURN: And all in 7 favor? 8 COMM. CARTER: Aye. 9 COMM. BAYNARD: Aye. 10 COMM. GARCIA: Aye. 11 CHAIRPERSON BLACKBURN: Aye. 12 Anyone opposed? 13 (No response.) 14 CHAIRPERSON BLACKBURN: Thank you. 15 Thank you, Comm. Carter. 16 COMM. CARTER: You're welcome. 17 CHAIRPERSON BLACKBURN: 18 Comm. Baynard? COMM. BAYNARD: Yes, Madam Chair. 19 Ιn 20 the case of Collier versus Eytcheson, I would need more time with that, so I would recommend 21 for the case of Narderi versus Avis Budget Group 22 that we uphold the Director's finding of no 23

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probable cause.
 1
 2
                 COMM. GARCIA: So moved.
 3
                 CHAIRPERSON BLACKBURN: May I have a
 4
     second?
                 COMM. CARTER:
 5
                                 I second.
 6
                 CHAIRPERSON BLACKBURN: And all in
 7
     favor?
                 COMM. CARTER:
 8
                                Aye.
 9
                 COMM. BAYNARD: Aye.
10
                 COMM. GARCIA:
                                Aye.
11
                 CHAIRPERSON BLACKBURN: Aye.
                                                Thank
    you very much.
12
13
            And now the Assignments of Appeals to
14
    Commissioners, and there seems to be a single
    case, which I'll cover. It's Gray versus The
15
    Palace. And ask for an Administrative Update
16
17
    from --
                 MS. ESSEX: I imagine I can do that.
18
    I do want to introduce our newest staff member.
19
20
    Christina Catalan --
21
                 MS. CATALAN: Yes.
                 MS. ESSEX: -- is -- has joined us.
22
    She will be working in the front desk reception
23
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area, answering phone calls and probably
1
    assisting in the intake and forwarding the calls
2
    to that unit, and we are pleased to have her.
3
    And we just want to introduce her to you.
4
                 COMM. GARCIA: Welcome.
5
                 CHAIRPERSON BLACKBURN: Would you
 6
 7
    spell your last name?
                 MS. CATALAN: Yes, it's
8
9
    Catalan.
                 MS. ESSEX: Catalan.
10
                 CHAIRPERSON BLACKBURN: Catalan.
11
                 MS. ESSEX: Yes, ma'am.
12
13
                 CHAIRPERSON BLACKBURN: Very nice to
14
    have you here.
                 MS. CATALAN: Thank you.
15
                 CHAIRPERSON BLACKBURN: How has it
16
    gone so far?
17
                 MS. CATALAN: Doing great.
18
                 CHAIRPERSON BLACKBURN: Doing all
19
    right?
20
                 MS. CATALAN: Everything is going
21
22
    great.
                                         Good.
                                                 Very
                 CHAIRPERSON BLACKBURN:
23
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good. 1 2 And the Director's not here to give a report. Are there notes from anyone that were 3 4 sent on his behalf? 5 (No response.) 6 CHAIRPERSON BLACKBURN: If not, you 7 have on your agendas the next meeting dates to 8 take note of. Are there any announcements? 9 MR. LANGE: Does it qualify that 10 there's an oral argument at the next meeting? Ιs 11 that an announcement? 12 CHAIRPERSON BLACKBURN: I'm sorry? 13 MR. LANGE: Does it qualify that 14 there's an oral argument scheduled for the next 15 meeting? 16 CHAIRPERSON BLACKBURN: Yes, that 17 qualifies as an announcement. 18 COMM. CARTER: And the timing on that 19 would be that the oral argument would be at 11:00; is that --20 MR. LANGE: Correct. 21 COMM. CARTER: And --22 23 MR. LANGE: And I think the

```
1
     meeting --
 2
                 COMM. CARTER: And then the business
     meeting would be at 12:30?
 3
 4
                 MR. LANGE: 12:30, 1:00, I guess.
 5
     think 12:30.
 6
                 CHAIRPERSON BLACKBURN: Business
 7
     meeting at 12:30; is that what I heard you say?
 8
                 MR. LANGE: I think so. Well, that
 9
     is what I said.
10
                 CHAIRPERSON BLACKBURN: Oh, okay.
11
                 MR. LANGE: I think that that's
12
     right.
13
                 CHAIRPERSON BLACKBURN: All right.
14
            Okay. There being no other announcements
15
     and no further business today, the meeting is
16
     adjourned.
17
               Thereupon, the proceedings of
             September 24, 2010 were concluded
18
                   at 11:35 o'clock a.m.
19
20
21
22
23
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CERTIFICATE

I, Lindy L. Meyer, Jr., the undersigned

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Court Reporter and Notary Public residing in the City of Shelbyville, Shelby County, Indiana, do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me on Friday, September 24, 2010 in this matter and transcribed by me.

Lindy L. Meyer, Jr.

Notary Public in and for the State of Indiana.

My Commission expires October 27, 2016.

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